

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)	Examiner: Ho, Tuan V.
)	
Ted J. Cooper)	Art Unit: 2622
)	
Application No.: 09/696,436)	Confirmation No.: 3904
)	
Filed: October 24, 2000)	
)	
For: Method And Apparatus To Provide)	
Edge Enhancements As Part Of A)	
Demoaicing Process)	
Commissioner for Patents		
P.O. Box 1450		
Alexandria, VA 22313-1450		

REQUEST FOR REFUND
(Pursuant to 37 C.F.R. § 1.26(a))

Applicant's deposit account has been charged for two Request for Continued Examination (RCE) under C.F.R. §1.114 in the amount of \$810.00 each. The details of this incorrect charge are outlined below.

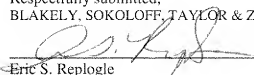
A Request for Continued Examination (RCE) under C.F.R. §1.114 was filed on July 7, 2008 with authorization to charge Applicant's Deposit Account No. 02-2666 for the required fee of \$810.00 for the above-referenced case. An Advisory Action was then received on July 17, 2008. Applicants responded with a Request For Continued Examination (RCE) Transmittal via facsimile on July 31, 2008. Applicant was incorrectly charged \$810.00 for filing Request for Continued Examination (RCE).

Because Applicants had previously paid the one time Request for Continued Examination (RCE) under C.F.R. §1.114 fee of \$810.00 on July 7, 2008. Applicant respectfully requests a refund in the amount of \$810.00 to be credited to Deposit Account No. 02-2666 for the duplicate payment of the Request for Continued Examination (RCE) charges.

Accompanying this request are copies of (1) Copy of Amendment Transmittal dated July 7, 2008 (2) Copy of Fee Transmittal For FY 2008 dated July 7, 2008 (3) Copy Of Request For Continued Examination (RCE) Transmittal dated July 31, 2008 (4) Copy of Facsimile Transmittal Sheet (Transmittal TO PTO) dated July 31, 2008 (5) Copy of Auto-Reply Facsimile Transmission dated July 31, 2008.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: October 3, 2008


Eric S. Replogle
Reg. No. 52,161

1279 Oakmead Parkway
Sunnyvale, CA 94085-040
(408) 720-8300

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office via electronic filing through the United States Patent and Trademark Electronic Filing System on:

October 3, 2008

Date of Deposit

Carla Anyasia Nascimento

Name of Person Mailing Correspondence


Signature

October 3, 2008

Date

AMENDMENT TRANSMITTAL**PATENT**

Application No.: 09/696,436
Filing Date: October 24, 2000
First Named Inventor: Ted J. Cooper
Examiner's Name: Ho, Tuan V
Art Unit: 2622
Attorney Docket No.: 80398.P350

An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.

☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.

☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.

☐ Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- ☐ Preliminary Amendment
☒ Amendment/Response with respect to Final Office Action dated April 4, 2008
☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
☐ Notice of Appeal
☒ RCE (Request for Continued Examination)
☐ Supplemental Declaration
☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
☐ Information Disclosure Statement (IDS)
☐ Copies of IDS citations
☐ Petition for Extension of Time
☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
☐ Cross-Reference to Related Application(s)
☐ Certified Copy of Priority Document
☐ Other: _____
☐ Other: _____
☒ Check(s) \$960.00 (fee for RCE - plus additional Claims Fee)
☒ Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Eric S. Replogle

SIGNATURE: 

REG. NO.: 52,161

DATE: July 7, 2008

ADDRESS: 1279 Oakmead Parkway
Sunnyvale, California 94085-4040

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 7, 2008.

Date of Deposit

Leslie Rogan

Name of Person Mailing Correspondence

July 7, 2008

Date

Express Mail Label No. (if applicable):

FEE TRANSMITTAL FOR FY 2008

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 1260.00

Complete if Known:

Application No. 09/696,436
 Filing Date October 24, 2000
 First Named Inventor Ted J. Cooper
 Examiner Name Ho, Tuan V
 Art Unit 2622
 Attorney Docket No. 80398.P350

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)
☒ Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name:

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☒ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☒ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.
 Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Fee Code	Fee (\$)	Fee Code	Fee (\$)			
1011	310	2011	155	Utility application filing fee	1,030/515	
1111	510	2111	255	Utility search fee		
1311	210	2311	105	Utility examination fee		
1012	210	2012	105	Design application filing fee	440/220	
1112	100	2112	50	Design search fee		
1312	130	2312	65	Design examination fee		
1013	210	2013	105	Plant filing fee	680/340	
1113	310	2113	155	Plant search fee		
1313	160	2313	80	Plant examination fee		
1004	810	2004	405	Reissue filing fee	1,940/970	
1114	510	2114	255	Reissue search fee		
1314	620	2314	310	Reissue examination fee		
1005	210	2005	105	Provisional application filing fee		
SUBTOTAL (1) \$						<u>0.00</u>

2. EXCESS CLAIM FEES**Fee Description**

Large Entity		Small Entity	
Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
1202	50	2202	25
1201	210	2201	105
1203	370	2203	185
1204	210	2204	105
1205	50	2205	25

Fee Description

Each claim over 20

Each independent claim over 3

Multiple dependent claims, if not paid

Reissue: each claim over 20 and more than in the original patent

Reissue: each independent claim more than in the original patent

Extra Claims**Fee****Fees Paid (\$)**Total Claims 29 - 20 or HP = 9X \$ 50.00 = 450.00

HP = highest number of total claims paid for, if greater than 20

Independent Claims 4 - 4 or HP = X \$210.00 = 0

HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims = SUBTOTAL (2) \$ 450.00**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee from below	Fees paid (\$)
<u> </u>	- 100 = <u> </u>	/ 50 = <u> </u> (round up to whole number)	X \$260.00	<u> </u>

Large Entity		Small Entity	
Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)

Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):

1081	260	2081	130	Utility
1082	260	2082	130	Design
1083	260	2083	130	Plant
1084	260	2084	130	Reissue

SUBTOTAL (3) \$ 0.00

FEE CALCULATION (continued)**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	460	2252	230	Extension for reply within second month	
1253	1,050	2253	525	Extension for reply within third month	
1254	1,640	2254	820	Extension for reply within fourth month	
1255	2,230	2255	1,115	Extension for reply within fifth month	
1401	510	2401	255	Notice of Appeal	
1402	510	2402	255	Filing a brief in support of an appeal	
1403	1,030	2403	515	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	510	2452	255	Petition to revive - unavoidable	
1453	1,540	2453	770	Petition to revive - unintentional	
1501	1,440	2501	720	Utility issue fee (or reissue)	
1502	820	2502	410	Design issue fee	
1503	1,130	2503	565	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	810	2809	405	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	810	2810	405	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	810	2801	405	Request for Continued Examination (RCE)	810.00
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(l) (except provisionals)	
1454	1,410	1454	1,410	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (4) \$810.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Eric S. RephaleSignature: Date: July 7, 2008Reg. Number: 52,161Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 09/696,436
Filing Date October 24, 2000
First Named Inventor Ted J. Cooper
Art Unit 2622
Examiner Name Ho, Tuan V.

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** – Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
- iv. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Eric S. Replogle Registration No. (Attorney/Agent) 52,161
Signature /Eric S. Replogle, #52, 161/ Date July 31, 2008

CERTIFICATE OF TRANSMISSION

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Name (Print/Type) Carla Anyia Nascimento
Signature [Signature] Date July 31, 2008

BLAKELY 1279 OAKMEAD PARKWAY
SOKOLOFF SUNNYVALE, CALIFORNIA 94086
TAYLOR & (408) 720-8598 (Telephone)
ZAFMAN (408) 720-9397 (Facsimile)

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Deliver to: Examiner Tuan V. Ho
Firm Name: U.S. PATENT AND TRADEMARK OFFICE
Fax Number: 571-273-8300 Telephone No.: _____
From: Eric S. Replogle
Date: July 31, 2008 Time: 12:45 PM (PDT)
Operator: Carla A. Nascimento Matter: 080398.P350
Number of pages including cover sheet: 2
In Re Patent Application of: Ted J. Cooper
Application No.: 09/696,436
Filed: 10/24/2000
For: Method And Apparatus To Provide Edge Enhancement As Part Of Demosaicing
Process
Enclosed are the following documents:

1.REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Contact Information For:


Eric S. Replogle-408-720-8300x7514

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Date of Transmission July 31, 2008

Carla Anysia Nascimento
(Typed or printed name of person transmitting paper)


(Signature of person transmitting paper)

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Received
Cover
Page
=====>

07/31/2008 12:41 FAX 4087208383	BLAKELY SOKOLOFF TAYLOR	0001
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BLAKELY SOKOLOFF TAYLOR & ZAFMAN
1278 OAKMEAD PARKWAY
SUNNYVALE, CALIFORNIA 94086
(408) 720-6989 (Telephone)
(408) 720-6387 (Facsimile)
A LIMITED LIABILITY PARTNERSHIP (ILLINOIS)
LAW CORPORATION

EXPEDITED PROCEDURE REQUESTED

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Deliver to: Examinee Tuan V. Ho

Firm Name: U.S. PATENT AND TRADEMARK OFFICE

Fax Number: 571-272-3300 Telephone No.: _____

From: Eric S. Reagle

Date: July 31, 2008 Time: 12:45 PM (PDT)

Operator: Celia A. Nascimben Matter: 980398-P359

Number of pages including cover sheet: 2

In Re Patent Application of: Ted J. Cooper

Application No.: 06/696,436

Filed: 10/29/2000

For: Method And Apparatus To Provide Edge Enhancement As Part Of Demosaicing Process

Enclosed are the following documents:

1.REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

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Eric S. Reagle-508-720-8300/614

CERTIFICATE OF TRANSMISSION

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By: Celia A. Nascimben
(Typed or printed name of person transmitting paper)

[Signature]
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